

PURPOSE

The Michigan Department of Health and Human Services (MDHHS) is responsible for designating a chief privacy officer who is responsible for the development and implementation of the department's privacy policies and procedures. This procedure sets out the designation of a chief privacy officer for the MDHHS and local privacy officers for each of the department's hospitals and centers.

REVISION HISTORY

Reviewed: 01/01/2024.

Next Review: 01/01/2025.

PROCEDURE

Responsibility

Compliance and Data Governance Bureau Officer and Staff.

Action

The Compliance Data Governance Bureau chief compliance officer is the chief privacy officer for the MDHHS. The chief privacy officer:

1. Is responsible for the development, implementation, and maintaining of the MDHHS' privacy policies and procedures.
2. Monitors federal (and state as applicable) privacy laws and policy for changes that affect the privacy program.
3. Ensures compliance with all applicable laws and regulations regarding collection, use, maintenance, sharing and disposal of PII by programs and information systems.
4. Allocates appropriate budget and staffing resources to implement and operate privacy program, develop a strategic organizational privacy plan for implementing applicable privacy controls, policies, and procedures.
5. Monitors and audits privacy controls and internal privacy policy as required to ensure effective implementation.
6. Complies with US Health and Human Services privacy oversight monitoring and auditing policies and procedures.
7. Is responsible for assisting the State Hospital Administration and the local privacy officers with the development and implementation of the MDHHS' privacy policies and

procedures and privacy policies and procedures developed by each state facility to address its individual privacy issues.

Responsibility

- Bureau of Hospital, Center, Forensic and Mental Health Services staff.
- Facility - local privacy officers.

Action

The director of each of the following state facilities shall designate a local privacy officer for their respective facility, and notify:

- The director of the Bureau of State Hospital Administration of the designation: Caro Center, Hawthorn Center, Kalamazoo Psychiatric Hospital, Center for Forensic Psychiatry, and W. Reuther Psychiatric Hospital.
- The director of the Bureau of State Hospital Administration provides a roster, including contact information, of all local privacy officers to the chief privacy officer. Update the roster must periodically as needed.

The local privacy officer is responsible for:

- The implementation of the MDHHS' privacy policies and procedures for the local privacy officer's respective facility.
- The development and implementation of privacy policies and procedures as needed by the local privacy officer's respective facility to address its individual privacy issues. Facility privacy policies and procedures are developed and approved in accordance with the Bureau of State Hospital Administration provisions for adoption of facility-based policies and procedures.

Note: Prior to adoption, local privacy officers shall provide copies of proposed facility-based privacy policies and procedures to the chief privacy officer for review and determination of consistency with the MDHHS privacy policies and procedures and HIPAA privacy regulations.

REFERENCE

45 CFR 164.530(a)
APL-68A-50, Privacy Officer and Security Officer

CONTACT

APL-680, HIPAA Policies and Procedures Definitions Glossary

For additional information concerning this procedure, contact the MDHHS Compliance and Data Governance Bureau at MDHHSPrivacySecurity@michigan.gov.